



December 9, 2024

MEMORANDUM

**TO THE HONORABLE KIYO A. MATSUMOTO
UNITED STATES DISTRICT COURT JUDGE**

**RE: CEASAR, Sinmyah Amara
Docket Numbers: 17cr48 and 19cr117
Request to Withdraw the Violation of
Supervised Release**

On June 26, 2019, The Honorable Jack B. Weinstein sentenced Sinmyah Amara Ceasar (Ceasar) to a combined total of forty-eight (48) months' custody and eight (8) years of supervised release under dockets 17cr48 (Conspiracy to Provide Material Support to a Foreign Terrorist Organization) and 19cr117 (Obstruction of an Official Proceeding). In addition to mandatory and standard conditions of supervised release, the following special conditions of supervised release were also imposed: 1) Participate in educational/vocational programming; 2) Participate in mental health treatment; 3) An association condition; 4) Participate in polygraph examinations; 5) Participate in the Computer and Internet Monitoring Program (CIMP); 6) Permit examination of electronic devices; 7) Report electronic communication accounts; 8) Provide account identifiers; 9) Search of electronic accounts condition; 10) Agree to sharing of information; 11) Location Monitoring via GPS; and 12) Search condition. The 17cr48 and 19cr117 cases were transferred to Your Honor on July 29, 2020. Ceasar commenced supervised release on August 7, 2020.

On November 3, 2020, the Probation Department filed a Violation of Supervised Release Report (VOSR) charging Ceasar with the following: Charge One: Unauthorized Download Of/Access to Electronic Communications Accounts; Charge Two: Failure to Provide Account Identifiers; and Charge Three: Association with Individuals Known to have Felony Convictions. On January 5,

2021, Ceasar appeared before Your Honor and entered a guilty plea to Charge One and Charge Three of the VOSR; she remained at liberty pending sentencing.

On August 24, 2021, the Probation Department filed a supplemental VOSR adding the following: Charge Four: Unauthorized Download Of/Access to Electronic Communications Accounts; Charge Five: Failure to comply with the CIMP; Charge Six: Failure to cooperate with CIMP; Charge Seven: Association with Individuals Known to have Felony Convictions; and Charge Eight: Failure to Disclose All Financial Information. On August 25, 2021, Ceasar failed to appear before the Court for a scheduled status conference and a bench warrant was issued by Your Honor. On August 27, 2021, Ceasar was apprehended in New Mexico, and appeared in that district on September 2, 2021, where she was detained and removed in custody to the Eastern District of New York.

On October 4, 2021, the Probation Department filed a second supplemental VOSR adding the following charges: Charge Nine: Removal of Location Monitoring bracelet without approval; Charge Ten: Unauthorized Travel; and Charge Eleven: Failure to Report to Probation.

On November 16, 2021, the Second Circuit Court of Appeals mandated that the June 26, 2019, Judgment, (17cr48 and 19cr117), be vacated and that the case be remanded back to the District Court for resentencing.


On December 13, 2021, Ceasar appeared before the Court and was arraigned on VOSR charges Four through Eleven, entered a not guilty plea, and detention was continued. On February 7, 2022, Ceasar filed a petition for a writ of certiorari before the Supreme Court; this petition was denied on June 21, 2022.


On October 13, 2022, Ceasar again appeared before the Court and entered a guilty plea to violation Charges Four and Nine of the VOSR. This same date, an Information was filed and Ceasar entered a guilty plea to Failure to Appear, in violation of 18 USC §3146, under docket 22cr459. Resentencing on the 17cr48 and 19cr117 cases, and sentencing on the 22cr459 case are set for December 12, 2024, at 11:00 a.m..

In review of this case, the Probation Department is now respectfully requesting to withdraw the VOSR in its entirety. It is the position of the Probation Department that due to the Second Circuit vacating the Judgment on the 17cr48 (Material Support) and 19cr117 (Obstruction of Justice) cases, essentially nullifying the custodial and supervised release sentence, the violation of supervised release is void. The Probation Department defers to the Court as to the consideration of the conduct underlying the VOSR charges in the sentencing matters.

The Probation Department has notified the government and defense counsel of the withdrawal request. We await Your Honor's decision.

RESPECTFULLY SUBMITTED:
ROBERT L. CAPERS
CHIEF U.S. PROBATION OFFICER

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THE COURT ORDERS that this document be filed under permanent seal and that the probation department:

- ☐ Violation of Supervised Release Withdrawal Granted
☐ Violation of Supervised Release Withdrawal Denied
☒ Other

The government and defense counsel shall confer and no later than 12:00 pm on 12/10 shall submit their response to the withdrawal of pending VOSR charges and whether they can proceed with sentencing on December 12, 2024 as scheduled.

Signature of Judicial Official

Date

Dec. 9, 2024